CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

APRIL 5, 2005

INVOCATION:
Pastor Steve Felton of the Santa Maria Church of the Nazarene gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Mariscal led the pledge of allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, Assistant City Manager Haydon, City Attorney Trujillo, Police Lieutenant Cordero, Community Development Director Lindsey, Fire Chief Ortiz, Director of Recreation and Parks Posada, Director of Administrative Services Snodgrass, Solid Waste/Utilities Engineer Zhao, Planning Division Manager Bierdzinski, and Chief Deputy City Clerk Perez.

ANNOUNCEMENTS:
Mayor Lavagnino expressed condolences to the Roman Catholic citizens of Santa Maria for their loss of Pope John Paul II. Regardless of creed or culture, it was the universal consensus that "here was a good man." There can be no greater tribute than the world's love and respect.

PROCLAMATION – FAIR HOUSING MONTH
Mayor Lavagnino read a proclamation declaring the month of April 2005 as "Fair Housing Month" in the City of Santa Maria and expressing the hope that this observance will assist in the continuance of equal housing opportunities for all residents of Santa Maria. The proclamation was accepted by Harlene Carroll with the Housing Authority of Santa Barbara County.

PROCLAMATION – MONTH OF THE YOUNG CHILD
Councilmember Patino read a proclamation declaring the month of April 2005 as "Month of the Young Child" in the City of Santa Maria and encouraging all residents to recognize the valuable contributions of early childhood teachers and care givers, and to continue to actively support the need for improved child care within our community. The proclamation was accepted by Becky Wheeler and Yvonne Fraiser.

PROCLAMATION – EARTHQUAKE PREPAREDNESS MONTH
Councilmember Trujillo read a proclamation declaring the month of April 2005 as "Earthquake Preparedness Month" in the City of Santa Maria and encouraging all Santa Marians to learn and practice the "Duck, Cover, and Hold" drill at home and seek out more earthquake survival skills from their local American Red Cross Chapter or their local fire department. The proclamation was accepted by Fire Chief Frank Ortiz.

PROCLAMATION – FINANCIAL LITERACY MONTH
Councilmember Mariscal read a proclamation declaring the month of April 2005 as "Financial Literacy Month" in the City of Santa Maria and encouraging all residents to become financially literate to provide a more secure financial future. The proclamation was accepted by Carmela Vignocchi.

PROCLAMATION – CHILD ABUSE PREVENTION MONTH
Councilmember Orach read a proclamation declaring the month of April 2005 as "Child Abuse Prevention Month" in the City of Santa Maria and encouraging all residents to

become aware of and support local child abuse prevention programs. The proclamation was accepted by Mya Polleti.

PROCLAMATION – SEXUAL ASSAULT AWARENESS MONTH
Councilmember Patino read a proclamation declaring the month of April 2005 as "Sexual Assault Awareness Month" in the City of Santa Maria and encouraging all citizens to participate in the effort to eliminate sexual assault from our City. The proclamation was accepted by Mya Polleti.

PROCLAMATION – BOYS AND GIRLS CLUB WEEK
Mayor Lavagnino read a proclamation declaring the week of April 3 – 9, 2005, as "Boys and Girls Club Week" in the City of Santa Maria and encouraging all residents to join in recognizing and commending the Boys and Girls Club organizations in our state for providing comprehensive, effective services to the young people in our communities. The proclamation was accepted by Eddie Galarza and Mauricio Cifuentes.

PUBLIC COMMENT
Bob Ziener spoke regarding the Prayer for Peace celebrations started by the Pope in 1984, and the need for a brain storming committee to highlight Santa Maria during this time when international media are in town covering the Michael Jackson trial.

Robert Montgomery, Community Action Commission, introduced the newly appointed Executive Director, Fran Foreman.

Fran Foreman indicated she was looking forward to continuing the partnership between the City and the Community Action Commission and announced an upcoming art show on June 2nd.

Jeannie Barrett, California Rural Legal Assistance, submitted a letter requesting that within 60 days, the City adopt a valid Housing Element and correct the deficiencies identified by the California Department of Housing and Community Development.

Jeannene Mitchell, Santa Maria Mural Society, announced that the Society's first mural in Santa Maria would be going up next month. She talked about the benefits the City of Lompoc had received from its mural program.

CONSENT CALENDAR
Consent Calendar Items A through I were approved with the indicated action on motion by Councilmember Mariscal, seconded by Councilmember Orach, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar will be adopted by the same vote cast at the first reading unless City Council indicates otherwise.

MINUTES
The Minutes of the Regular City Council Meeting of March 15, 2005, were approved as submitted.

BOND RELEASES
A Faithful Performance Bond for North Preisker Ranch, Tract 5764, Phase 1, Units 2 & 3 in the reduced amount of $402.80 for the construction and installation of street and easement trees was released.

A Faithful Performance Bond for North Preisker Ranch, Tract 5764, Phase 3, Unit 1 in the reduced amount of $30,000 for the construction and installation of public

improvements was released with the order that the Contractor, Labor and Material Bond be held until October 2005 and the Guarantee and Defective Material Bond be held until April 2006.

A Faithful Performance Bond for North Preisker Ranch, Tract 5764, Phase 3, Unit 2 in the amount of $100,000 for the construction and installation of public improvements was released with the order that the Contractor, Labor and Material Bond be held until October 2005, and the Guarantee and Defective Material Bond be held until April 2006.

A Faithful Performance Bond for North Preisker Ranch, Tract 5764, Phase 3, Unit 2 in the amount of $10,000 for the construction and installation of boundary walls was released with the order that the Contractor, Labor and Material Bond be held until October 2005.

WARRANTS
Warrant Nos. 118951 to 119384 in the amount of $3,675,091.05 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 113359, 110223, 112441, 113152, 118355, 113051, 114035, and 115294 were cancelled.

PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads as shown on records on file in the Administrative Services Department and having been approved for payment by the Director of Administrative Services.

ABC LICENSE
A Notice from the California Department of Alcoholic Beverage Control of an application for an Alcoholic Beverage License for Hama Sato Japanese Restaurant located at 230 E. Betteravia Road, Suite V, was noted and filed.

WWTP FACILITY EXPANSION ANNEXATION
A petition for the Wastewater Treatment Plant Facility Expansion Annexation, AN-106, consisting of 240 acres on Stowell Road and Black Road by the City of Santa Maria, was referred to the Planning Commission for a report to the City Council.

ABANDONMENT OF ROAD RIGHT-OF-WAY
Resolutions No. 2005-51 and 2005-52 were adopted authorizing the abandonment of road right-of-way and public utility easement on Seaward Drive approximately 75 feet west of North Magellan Drive to the property owners of 1066 Seaward Drive and 1070 Seaward Drive.

Resolution No. 2005-51 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, SUMMARILY VACATING THE RIGHT-OF-WAY AND STREET TREE/PUBLIC UTILITY EASEMENT LOCATED ON SEAWARD DRIVE TO THE PROPERTY OWNERS OF 1066 SEWARD DRIVE.

Resolution No. 2005-52 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, SUMMARILY VACATING THE RIGHT-OF-WAY AND STREET TREE/PUBLIC UTILITY EASEMENT LOCATED ON SEAWARD DRIVE TO THE PROPERTY OWNERS OF 1070 SEWARD DRIVE.

PROPOSITION 12 TREE PLANTING GRANT
Resolution No. 2005-53 was adopted approving the submittal of a Proposition 12 Tree Planting Grant Program Application – 2005 Funding Cycle.

Resolution No. 2005-53 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS THROUGH THE URBAN FORESTRY GRANT PROGRAM AS PROVIDED THROUGH PROPOSITION 12.

PRESENTATION REGARDING THE FIRST 5 SANTA BARBARA COUNTY PROGRAM ANNUAL REPORT

Edna Flores and Nicole Singer from First 5 Santa Barbara County Children Families Commission presented the Commission's 2003-04 Annual Report and highlighted the activities and accomplishments of the Commission in the previous fiscal year. First 5 Santa Barbara County Children and Families Commission was established in 1999 with the passage of Proposition 10. Funds from a 50-cent tobacco tax were awarded by First 5 to programs serving children prenatal through age 5 and their families. Funding from First 5 was provided to numerous partner agencies to provide services to children and families. In 2003-04, $1,182,979 was provided for Heath Care agencies; $718,524 for early care and education agencies; $317,446 for parent education and outreach agencies; $730,609 for newborn home visiting initiative; and $860,654 for family resource centers. Additionally, one year community grants were awarded for a total of $167,250. A Spruce Up for Kids Day Mini Grant was awarded to Santa Barbara Family Care Center in the amount of $105,000. State Partnership School Readiness Initiative funds totaling $552,884 were used for school readiness programs in Santa Maria, Guadalupe, Lompoc, Isla Vista and Santa Barbara. Last year over 8,000 children and families were served, with over 4,000 in Santa Maria alone.

Councilmember Mariscal asked if the funding had been decreasing.

Nicole Singer replied it had been decreasing which was a good thing because it meant cigarette sales were declining.

Councilmember Mariscal asked what happened to the children and their families after they reached 5 years of age and the First 5 services were no longer available.

Ms. Singer explained that other services were available in the community, and they provided families with that information.

Councilmember Mariscal talked about the school lunch program that was referenced in the Child Score Card and asked if there was anyone who oversaw that program. He said he had heard that a lot of food goes to waste because the children don't eat it.

Councilmember Patino asked what the home visits consisted of.

Ms. Singer explained that the families are visited three times and given information regarding post partum depression, breast feeding, and similar topics for new parents as well as directing them to other resources. She said they are also able to identify development delays in young children.

Dr. Gail Tissier, First 5 Commissioner, spoke regarding the importance of a healthy environment during the first five years to the development of children. She also talked about the programs provided by First 5 such as the home visits and the Spruce Up for Kids program.

Mayor Lavagnino thanked them for their presentation.

ZONING TEXT AMENDMENTS

Planning Division Manager Bierdzinski gave the staff report. As a community evolves over time, regulatory documents need to evolve as well in order to better direct the community's future growth, protect its citizens, and maintain property values. The proposed ordinance makes various amendments to the Zoning Ordinance, Title 12 of the Santa Maria Municipal Code. The amendments clarify text regarding various zoning regulations, incorporate additional definitions into the zoning ordinance, and elaborate and expand permitted and conditional uses in the various zoning districts based on determinations made by the Planning Commission in recent years. On March 2, 2005, the Planning Commission reviewed the changes and adopted resolutions recommending the City Council file a Negative Declaration for E-2005-001 and adopt an ordinance amending various sections of Title 12 of the Municipal Code.

Mayor Lavagnino opened the public hearing.

Hearing no testimony, Mayor Lavagnino closed the public hearing.

Resolution No. 2005-54 was adopted on motion by Councilmember Orach, seconded by Councilmember Mariscal, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2005-54 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION (E-2005-001) FOR ZONING TEXT AMENDMENTS, Z-2005-001.

Ordinance No. 2005-04 was introduced by title only for first reading on motion by Councilmember Orach, seconded by Councilmember Mariscal, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2005-04 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AMENDMENTS TO VARIOUS CHAPTERS OF TITLE 12 OF THE SANTA MARIA MUNICIPAL CODE, Z-2005-001.

REPORT BY CITY MANAGER:
City Manager Ness reported on items for the April 19, 2005, City Council meeting including public hearings for the 2005-06 Community Development Block Grant allocations and the Annual Weed Abatement program, and the Economic Development Element Annual Report for 2004.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS:
Councilmember Mariscal congratulated his brother on his 50th birthday and invited everyone to attend the Santa Maria Philharmonic Orchestra's Centennial Concert on April 30 at the First Baptist Church, 2970 Santa Maria Way at 7:30 p.m.

CLOSED SESSION:
The City Council recessed to a Closed Session at 7:50 p.m. for the following: Conference with Legal Counsel regarding existing litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss Santa Maria Valley Water Conservation District v. City of Santa Maria; and Conference with Labor Negotiator pursuant to Government Code Section 54957.6, Agency representative: Assistant City Manager, Employee organization: Santa Maria Firefighters Union, Local 2020.

After the Closed Session, the following was announced:

Santa Maria Valley Water Conservation District v. City of Santa Maria – No report. Withdrawn from the agenda.

Conference with Labor Negotiator re: Santa Maria Firefighters Union, Local 2020 – Status report. Direction to staff.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 8:33 p.m. by order of Mayor Lavagnino to the Special Joint City Council/Planning Commission meeting on Thursday, April 7, 2005, beginning with a bus tour of the City from 8:00 a.m. to 12:00 p.m. and then reconvening

at 6:30 p.m. in the City Hall Council Chambers for a roundtable discussion of items of joint interest.

APPROVED

April 19, 2005
Date

ATTEST: _____
Chief Deputy City Clerk

_____
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

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Mayor of the City of Santa Maria